

IN THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

JULIA PALACIOS

PLAINTIFF

v.

CIVIL ACTION NO. 2:11CV000161-WAP-JMV

TARGET CORPORATION

DEFENDANT

ORDER

Before the court are the defendant's Motion to Compel Deposition of Plaintiff (# 14) and the plaintiff's Motion for Protective Order (# 16). The court took up these matters during a telephonic hearing held December 20, 2011. For the reasons stated during that hearing, which the court will reiterate briefly, the defendant's motion to compel is DENIED, and the plaintiff's motion for protective order is GRANTED.

The court, after considering the submissions of the parties and the applicable law, determined that the plaintiff should be relieved from the obligation of appearing for a deposition in the forum district because of the extreme hardship it would cause the plaintiff. Specifically, the plaintiff's current residence in Ecuador, advanced age, health, inability to speak English, inability to drive, and lack of financial resources combined would prove to be an extraordinary obstacle. The court will require, instead, that the parties cooperate in rescheduling and determining the details of the plaintiff's deposition to be taken via electronic means agreed to by the parties. If the parties are unable, after a good faith effort, to agree to a method for taking the deposition that does not require the Plaintiff to travel from Ecuador, they may petition the court to order such arrangements.

**SO ORDERED** this 21st day of December, 2011.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE